

## REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 07 July 2000  
Name of applicant/court: Gregory Burke  
Applicant to the Labelling Body: Not Applicable  
Title of Publication: Painting Depicting A Family  
Other Known Titles: "Genealogy"; Exhibit Number 44;  
Genealogy  
Director: Not Applicable  
Producer: Not Applicable  
Publisher: Not Applicable  
Artists: William Brower, Steven Brower  
Format: Artwork  
Country of Origin: USA  
Language: Not Applicable

.....  
**Components of film originally examined:** Not Applicable.

Feature: Running time:  
Trailers: Running time:  
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

... Please turn over

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years or to students enrolled in an art course with a tertiary training provider; and the publications are displayed as part of the Genealogy installation by Steven Brower.

Display Conditions:

Nil.

Descriptive Note:

Not Applicable.

.....

Direction to issue a label has been given on: Not Applicable.

.....

**SUMMARY OF THE REASONS FOR DECISION:**

The artwork entitled *Painting Depicting A Family*, also known as *Exhibit Number 44* or *Genealogy*, is classified as:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years or to students enrolled in an art course with a tertiary training provider; and the publications are displayed as part of the 'Genealogy' installation by Steven Brower.

The artwork is a painting by William Brower and appears in the context of an installation by Steven Brower. The publication depicts a group of four people, who appear to be about to engage in sexual activity. One of the people is a young boy. However, the artwork is not considered to promote or support, or tend to promote or support, the exploitation of children for sexual purposes.

The publication has been considered under s3(3)(a)(iv) of the Films, Videos, and Publications Classification Act 1993, the extent and degree to which, and the manner in which, the publication depicts sexual conduct with children. Given the subject matter of the publication, the artwork is considered to depict sexual conduct by children to a high extent and degree. However, this is mitigated by the manner and context in which the image is presented.

The New Zealand Bill of Rights Act 1990 has been considered in relation to this publication. The classification represents the minimum interference with the freedom of expression consistent with preventing likely injury to the public good.

OFLC Ref: 823